

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

JOHNELL MIDDLETON,)
JACORI HODGES,)
COREY HOLBROOKS, on behalf of)
themselves of others similarly situated,)

Plaintiffs,)

vs.)

CIVIL ACTION No.:
5:21-cv-334-MTT

TIMOTHY WARD, et al.,)

Defendants.)

DEFENDANTS' MOTION TO DISMISS

COME NOW, Timothy Ward, Ahmed Holt, Robert Toole, Stan Shepard, Jack Sauls, Ioannis Ioannou, Trevonza Bobbitt, Charles Spinn, Josh Wicker, Deidra Edwards, Vikki Irwin, and Juanita Sharpe, Defendants in the above-styled case, by and through Counsel Christopher M. Carr, the Attorney General for the State of Georgia, and file this Motion to Dismiss Plaintiffs' Complaint pursuant to unenumerated Rule 12 (b)(6) of the Federal Rules of Civil Procedure for failure to exhaust administrative remedies. Defendants submit a brief simultaneous with this motion.

Respectfully submitted, this 8th day of October, 2021.

CHRISTOPHER M. CARR Attorney General	112505
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BETH BURTON Deputy Attorney General	027500
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TINA M. PIPER Sr. Assistant Attorney General	142469
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<u>/s/ Elizabeth M. Crowder</u> ELIZABETH M. CROWDER Assistant Attorney General	100809
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Please send all correspondence to:

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CERTIFICATE OF SERVICE

I hereby certify that on October 8th, 2021, I electronically filed this **DEFENDANTS' MOTION TO DISMISS** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

/s/ Elizabeth M. Crowder
ELIZABETH M. CROWDER 100809
Assistant Attorney General

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